

Pro Se 1 (Rev. 12/16) Complaint for a Civil Case

UNITED STATES DISTRICT COURT

for the

District of

Nebraska2ND

Division

FILED
U.S. DISTRICT COURT
DISTRICT OF NEBRASKA
2023 AUG 10 AM 10:06
OFFICE OF THE CLERK

Donald Kellum, IIRosalind Kellum, Sarah Sublet-McClinton

Plaintiff(s)

(Write the full name of each plaintiff who is filing this complaint. If the names of all the plaintiffs cannot fit in the space above, please write "see attached" in the space and attach an additional page with the full list of names.)

Jeff Davis, Sheriff, Sarpy Cty. Sheriff's Dept.,
Lavista Police Dept, Robert Lausten Chief,
Gov. Jim Pillen, Mayor David Black,
Sarpy County, Lee Polkov, Sarpy Cty Atty.

Defendant(s)

(Write the full name of each defendant who is being sued. If the names of all the defendants cannot fit in the space above, please write "see attached" in the space and attach an additional page with the full list of names.)

Case No.

8:23cv 354

(to be filled in by the Clerk's Office)

Jury Trial: (check one)

☐

Yes

☒

No

RECEIVED

AUG 10 2023

CLERK
U.S. DISTRICT COURT

COMPLAINT FOR A CIVIL CASE

I. The Parties to This Complaint

A. The Plaintiff(s)

Provide the information below for each plaintiff named in the complaint. Attach additional pages if needed.

Name

Rosalind Kellum, Sarah Sublet-McClinton

Street Address

1613 Barrington Pkwy, #402

City and County

Papillion, Sarpy

State and Zip Code

NE, 68046

Telephone Number

531/255-3159

E-mail Address

rkellum533@gmail.com

B. The Defendant(s)

Provide the information below for each defendant named in the complaint, whether the defendant is an individual, a government agency, an organization, or a corporation. For an individual defendant, include the person's job or title (if known). Attach additional pages if needed.

COMPLAINT FOR A CIVIL CASE

1 of 5

I. The Parties to This Complaint

A. The Plaintiff(s)

Provide the information below for each plaintiff named ~~in~~ in the complaint. Attach additional Page if needed.

Name	Donald Kellum, II
Street Address	802 S. Beadle St.
City and County	Papillion, Sarpy
State and Zip	NE, 68046
Telephone Number	
E-Mail Address	N/A

Defendant No. 1

Name
Job or Title (if known)
Street Address
City and County
State and Zip Code
Telephone Number
E-mail Address (if known)

Sheriff Jeff Davis
Sheriff
8335 Platteview Road
Papillion, Sarpy County
NE, 68046
402/593-2288
N/A

Defendant No. 2

Name
Job or Title (if known)
Street Address
City and County
State and Zip Code
Telephone Number
E-mail Address (if known)

Sarpy County Sheriffs Dept.
N/A
8335 Platteview Road
Papillion, Sarpy County
NE, 68046
402/593-2288
N/A

Defendant No. 3

Name
Job or Title (if known)
Street Address
City and County
State and Zip Code
Telephone Number
E-mail Address (if known)

LaVista Police Dept.
N/A
8116 Park View Blvd.
LaVista, Sarpy County
Nebraska 68128
402/331-7210
N/A

Defendant No. 4

Name
Job or Title (if known)
Street Address
City and County
State and Zip Code
Telephone Number
E-mail Address (if known)

Robert S. Lausten
Chief, LaVista Police Dept.
8116 Park View
LaVista, Sarpy County
Nebraska 68128
402/331-4343
N/A

Complaint For Civil Case Cont...pg. 2 of 5 (Addendum)

Def. 5. Name: Lee Polikov

Job Title: Sarpy County Attorney

Street Address: 1210 Golden Gate Dr. # 6001

City and County: Papillion, Sarpy

State and Zip Code: NE, 68046

Telephone Number: 402/593-2230

E-Mail Address: N/A

Def. 6 Name: Jim Pallen

Job Title: Governor

Street Address: 1445 K Street

City and County: Lincoln, Lancaster County

State and Zip Code: NE, 68508

Telephone Number: 402/471-2244

E-mail Address: N/A

Def. 7 Name: David Black

Job Title: Mayor

Street Address: 1210 Golden Gate Drive or 1102 E. 12th Street

City and County: Papillion, ~~NE~~ Sarpy

Papillion, Sarpy

State and Zip Code: NE, 68046

NE, 68046

Telephone Number: 402/593-2100

402/593-2100

E-Mail: N/A

N/A

Complaint For Civil Case Cont... p. 2 of 5

(Addendum)

Def. 8 Name: Sarpy County

Street Address: 1210 Golden Gate Drive

City and County: Papillion, Sarpy

State and Zip Code: NE, 68046

Telephone Number: 402/593-2100

Email Address: N/A

II. Basis for Jurisdiction

Federal courts are courts of limited jurisdiction (limited power). Generally, only two types of cases can be heard in federal court: cases involving a federal question and cases involving diversity of citizenship of the parties. Under 28 U.S.C. § 1331, a case arising under the United States Constitution or federal laws or treaties is a federal question case. Under 28 U.S.C. § 1332, a case in which a citizen of one State sues a citizen of another State or nation and the amount at stake is more than \$75,000 is a diversity of citizenship case. In a diversity of citizenship case, no defendant may be a citizen of the same State as any plaintiff.

What is the basis for federal court jurisdiction? (check all that apply)

☒ Federal question ☐ Diversity of citizenship

Fill out the paragraphs in this section that apply to this case.

A. If the Basis for Jurisdiction Is a Federal Question

List the specific federal statutes, federal treaties, and/or provisions of the United States Constitution that are at issue in this case.

*Section 241 Title 18
Title 18, Section 241 Under Color of Law, 42 USC 1983, 18 USC 1001
Section 1983 Acting Under Color of Law, 42 USC 1983, 18 USC 1001*

B. If the Basis for Jurisdiction Is Diversity of Citizenship**1. The Plaintiff(s)****a. If the plaintiff is an individual**

The plaintiff, (name) _____, is a citizen of the
State of (name) _____.

b. If the plaintiff is a corporation

The plaintiff, (name) _____, is incorporated
under the laws of the State of (name) _____,
and has its principal place of business in the State of (name) _____.

(If more than one plaintiff is named in the complaint, attach an additional page providing the same information for each additional plaintiff.)

2. The Defendant(s)**a. If the defendant is an individual**

The defendant, (name) _____, is a citizen of
the State of (name) _____. Or is a citizen of
(foreign nation) _____.

b. If the defendant is a corporation

The defendant, (name) Donald Kellum, II AK, is incorporated under the laws of the State of (name) N/A, and has its principal place of business in the State of (name) _____.

Or is incorporated under the laws of (foreign nation) _____, and has its principal place of business in (name) _____.

(If more than one defendant is named in the complaint, attach an additional page providing the same information for each additional defendant.)

3. The Amount in Controversy \$1,500,000.00

The amount in controversy—the amount the plaintiff claims the defendant owes or the amount at stake—is more than \$75,000, not counting interest and costs of court, because (explain):

The defendants caused irreparable harm to me and my family by showing up to my home with a large show of force of officers looking for a capital murderer, they had no search warrant to force me, under duress at gunpoint, fearing for my life and the life of my children who were all taking medication today and one mentally ill child.

III. Statement of Claim

Write a short and plain statement of the claim. Do not make legal arguments. State as briefly as possible the facts showing that each plaintiff is entitled to the damages or other relief sought. State how each defendant was involved and what each defendant did that caused the plaintiff harm or violated the plaintiff's rights, including the dates and places of that involvement or conduct. If more than one claim is asserted, number each claim and write a short and plain statement of each claim in a separate paragraph. Attach additional pages if needed.

1. My son was to graduate from UNO in Dec 2019, he never went back to school & didn't graduate. He's in therapy and taking pills for the non search warrant where a 5+ police held him at gun point for over 30 mins. My daughter was diagnosed with Bi-Polar with Schizoid effect, ADHD, ADD, oppositional Defiance Disorder Tourette's syndrome, Intermittent Explosive Disorder and had to be put on additional pills and still see a psyc today and takes extra medication from the rack. I've gotten sicker seeing my kids whom I raised in God never committed a crime while in their right mind began to change for the worse on 1/7/23 I had a heart attack "Broken Heart Syndrome" due to all the trauma that continues to be part of my everyday life. We all had on underwear & I had one T-shirt when they came into my home fixing!

IV. Relief

State briefly and precisely what damages or other relief the plaintiff asks the court to order. Do not make legal arguments. Include any basis for claiming that the wrongs alleged are continuing at the present time. Include the amounts of any actual damages claimed for the acts alleged and the basis for these amounts. Include any punitive or exemplary damages claimed, the amounts, and the reasons you claim you are entitled to actual or punitive money damages.

My daughter had on a pull up only when a police went into her room when she weighed 369 lbs and had tears in her eyes to see 2 white men look at her 1/2 naked with guns, then she goes down stairs and see policemen holding her brother at gun point while he was sleeping on the floor only at our house to help me with her. Being mentally ill, I felt she would try to fight the police because she closed her fist and fills this is all her fault. She blames herself today (8/04/23). My son works from home when he was athletic Director for Omaha Beef and UNO Athlete's, won awards never seen won at UNO before, Filmed World Series for ESPN at UNO. He's now on medication and stay home.

III Statement of Claim Cont...

(page 4 of 5)

Police barged at my door at approximately 7:00^{am} on 08/14/19 relating to me when I looked out of my front door window at 7208 Josephine Court, La Vista, NE 68128 on August 14, 2019. I told them I didn't have on any clothes and they forced me at gunpoint, approximately 10⁺ officers holding automatic at me; under duress, fearing my 2 children, one (my son) who did not live live with me came over the night before after creating MAV Radio for UNO and running the radio station and working at Texas Roadhouse, Apillion for over 7 years approximately and being the Athletic director for Omaha Beef and their cameraman to film their games, gave them all the leftover food from the nights end and me cooking for the football players at my home, being the Athletic Director for UNO and call/announcing the basketball games where he won awards never won before ever at UNO and filming during the College World Series for ESPN at UNO, he came to my home because I called him and asked him to come help me ^{get} his mentally ill sister who weighed 369 lbs out of the bath tub - I was 61, disabled at the time with lower lumbar degenerative bone disease, chronic pain disorder, Fibromyalgia, Type 2 diabetes and type 2 chronic kidney disease along with blood clots in my lungs and legs.

(2) (Page 4 of 5)

III Statement of claim

due to diabetes. My mother passed 2 years and 11 month ago at 96 years old and was a Christian all my life. I raised my 2 children exactly the same way. To believe in truth, justice and God. It was pure Corruption for the County Attorney to and policemen and sheriffs to undermine the oath they took to uphold and obey the Constitution of the U.S. Corruption starts at the top and fizzles down to lower ranks of workers. If a searchless warrant was served to me, how many more citizens in Nebraska have had their Constitutional Rights violated? The reasons that apply to a searchless warrant did not apply to me, we were all asleep, and I had on underwear and a short T-shirt that covered none of my behind (buttocks); my son had on boxer shorts only and was asleep on my living room floor, my daughter at 369lbs. had on a pull-up only and was already severely mentally and had tears in her ~~eyes~~ eyes with her fist balled up ready to fight and all I could do was pray that my family didn't ALL die that day from an illegal entry into my home from lying police and sheriff officers. They needed a search warrant then and they will need one today. They searched my entire home while holding my son under approximately 5⁺ officers pointing guns at him, all asking him questions

(3)

III. Statement of Claim (page 4 of 5)

and showing him pictures that he knew nothing of what they were talking about. They kept on asking all 3 of us questions with gun pointed at us and finally let my son get off his stomach on the floor with his arms and legs spreaded out and repositioned to his knees with his hands clasped behind his head, still ~~in~~ under 5th guns pointed at him while my daughter and I watched while automatic rifles were pointed at us. Then they started asking me and my daughter questions - I pleaded the 5th Amendment for us because I am her legal guardian and I look out for her interest in all of her life. My son never graduated from college, we had to borrow money to move because the neighbors harassed us, I was sick and couldn't clean the carpets and had to pay mgmt. over \$400⁺ dollars, had to pay over \$1,600 for deposit for new place and rent, had to pay for uhaul, had to buy lawn mower, leaf blower, electric cords, had to rake my own yard and bag leaves all ~~with~~ with Chronic Kidney disease, PEs + DVTs, No Thyroid or parathyroid glands, diabetes, fibromyalgia, lower lumbar degenerative bone disease, Chronic pain disorder, Osteoarthritis, Chronic Neuropathy in toes to above my knees and in my fingers above my elbows And possible kidney failure with muscle cramps in my entire body I had to go on anxiety med, sleeping pills,

(4)

III Statement of claim (Page 4 of 5)
and depression pills that I'm still on today
(8/04/23).

My son is a hermit, won't leave the house. I know something was really wrong when I got real sick in January, 2023, had a heart attack (broken heart syndrome) from all the stress of seeing my children's life spiral down instead of up, the way it was going before the illegal raid on my house. He never visited me in the hospital at CHI Mercy in Iowa. He didn't call me on the phone when before we used to talk everyday and see each other 5-7 times a week in 2019. I don't know if he's embarrassed, hurt, having a breakdown or what's going on with him anymore. I know he's on sleeping and anxiety medications and see a therapist. I'll just have to let him find his own way; I majored in Psychology and Sociology in college, but I am so lost, I love him so much, but I don't know how to help him. I pray for God to touch his heart, soul and mind, and heal him from hate and disillusionment he had about police, seeing his uncle who was a policeman took up time with all our boys and interacted with them on a racial, humanitarian, and religious mentally to keep them grounded.

III Statement of Claim

(page 4 of 5)

Lastly, my daughter who could never go to school was diagnosed at the age of 5 with Bipolar with ~~schizo~~^{schizo} schizoid effect, Oppositional Defiance Disorder, ADD, ADHD, Tourettes Syndrome, Conduct ~~disorder~~^{disorder}, Intermittent Explosive Disorder and Emuresis. At 14 she was diagnosed with morbid obesity and Schizophrenia, and obstructive airway disease. I could not work with her and I decided to go back to college and take her with me when she was five because she suffered from separation anxiety. She was on so much medications and breathing machine. It was so hard raising her as a single ~~parent~~ parent, I prayed and cried a lot. She started going to the mental hospital at 4/5 yrs. old. I was there with her every single day. My family of educated fools didn't want her at their homes because they feared and tried to talk me into giving her away to a mental institute for the rest of her life. I was taught that "God give you no more than you can bear." God gave her to me, not a mental hospital! She fought me, cursed me out, I'd have to sleep outside her door so she wouldn't leave home at 8/9 years old; and she was constantly in and out the mental hospital until she was 20 years old, and I was right by her side showing love.

III. Statement of Claim

(page 4 of 5)

I went thru the cutting (letting) of her skin with big scars that got infected, lots of attempted suicides, lots of running away from home and state facilities, getting cursed out daily, fighting nearly everyday breaking TV's, dishes, my perfumes, cutting up my shoes and boots, cutting up my clothes, throwing stuff at me, wake up with her standing over my bed looking at me I was never afraid of her, I was just tired!! I moved to Georgia to go to Law School and ended up having thyroid cancer. After I healed, I went back to college and educated her there by taking her + class with me where she excelled. I put her in high school in the 10th grade and she fast tracked out of high school in the 10th grade. She started improving a little bit at a time, but she still wore pull-ups and weighed over 360⁺ pounds, had a low self esteem and did not like or love herself. I talked with the Psychiatrist to take her off all medications that caused weight gain and put her on a no sugar, no starch diet after the incident on 08/14/19 and now she's down to 230 lbs. Since the incident on 08/14/19 she cries a lot and is depressed because she feels its all her fault her brother got caught up, she's afraid to go outside or grocery shopping, she detest all policemen, she's afraid when someone knocks at the door, she's mad and upset because she

III Statement of Claim

(page 4 of 4)

don't have a relationship with her only brother; she won't leave the house to visit him nor will he leave his home to visit her or me, she have anxiety attacks where her body shakes and I have to hold her and repeat the 23 Psalms over and over and give her new medication for the shaking. My childrens life have been altered dramatically and I see them getting worse, not better, doctors are just adding more pills to all 3 of us. I could not get in to see psyc. - they are not taking new patients. Sarah needs to go to the mental hospital, but she won't go. She said if I forced her to go she'd run away and would never come back home, EVER, and she means it. I'm loosing both of my children that I was told at 18 I'd never have. I've been the best, most loving and giving and patient mom I knew how to be, and it took less than 3 hours to undo what God thru me did to raise my children in "the ^{nurture} ~~future~~ and the admonition of ^{the} Lord," with grace, hope, strength, long suffering and love, for police/sheriff to undo. My family was broken and basically destroyed by Sarpy Ct and the negligence of the government official to hold my family and myself at lots of automatic rifles thinking we'd lose our lives, and now were beyond repair.

[Signature]

IV. Relief

(Continue)

My children were damaged mentally, emotionally and physically: my son was held a gun point by automatic rifles 4th, an experience he'll never forget or forgive. He's going thru PTSD, he don't leave his home, he hardly calls me and maybe visited me 5 times since 2019, when I used to see him almost everyday. He's seeing a therapist and will be on medication probably the rest of his life. He had several jobs and worked 7 days a week, now he's at home everyday. They asked him questions (all of them at one time) pushing what looked like photo copies of pictures of ~~black~~ black men he did know, and he kept telling the officers "I don't know who or what you're talking about. All ~~black~~ black people don't know other black people, and all black people don't commit crimes. The police were searching my entire house, all three floors: a search warrant, signed by a magistrate, would have told me the places to be search, the person they was looking for, it would have my address on it and my name since it was my residence. It is a crime in NE to lie and say you have "a capital murder search warrant" just to come in my home while I'm 1/2 naked and under duress with automatic rifles pointed at me and officers are forcing me at gun point to open my door. I am on

(3)

IV Relief

I owed the apartments in LaVista approximate \$1,000+ and paid installments because I was sick and could not clean two apartments and could not afford to pay someone; all the gas I had to use to ~~from~~ go from LaVista to Omaha and from Omaha to LaVista that I couldn't afford due to all my neighbors harassing me and my daughter and threatening our lives due to a "None capital ~~murder~~ ^{MURDER} search warrant" and telling my business to all the neighbors outside my residence. I and my family didn't tell anyone, we were too ashamed!

I feel I'm owed \$500,000.00 for all the pain and suffering I had to go thru: packing, moving, cleaning both homes, taking 3 extra medications along with the other 16 medications I already take daily, having extra doctors appointments, having a major heart attack in January 2023 from stress and "broken heart syndrome," my son losing ~~1920~~ 2020 brand new camera he got for graduation - when he never graduated in 2019. My children Donald & Sarah are owed \$500,000.00, for all the sorrow, shame, embarrassment, extra medications, Donald losing his vehicle and all the money he put into it by working, Therapy and pills,

Conclusion:

We only had each other and I raised my children from infants in Church to trust and belief in The Lord God Jesus Christ and the Holy Spirit, to love and help their fellow men, and to respect and "do good to those who do evil unto you," the same way I was raised by a mother born in 1924 in Texas into slavery, had nine children who all got college degrees (except me - I wanted to be all things to all people). One Engineer wanted to be a police officer, and he was for approximately 15 yrs. No one out of nine children had/have ever been to jail or arrested, and the Chief of Police came to my Mother's home to commend her on having a Black family as large as ours with no criminals. She told the Chief it was nothing she did, it was God who gave her wisdom, knowledge and understanding to raise nine children in the ~~future~~ nurture and the admonition of God! She was whipped, ate slopp that pigs ate, couldn't read or write, lived in a tin house with dirt floor and a plastic roof, had no heat or air, was raped at 10 and 11 and had her 1st and 2nd child, to be slaves at 5 + 6 yrs. She didn't hate anyone and taught us God and ~~His~~ His love. We had to graduate from high school and go to college, we were afraid of the God in her. My dad served in WWII, got shot, and shortly died.

V. Certification and Closing

Under Federal Rule of Civil Procedure 11, by signing below, I certify to the best of my knowledge, information, and belief that this complaint: (1) is not being presented for an improper purpose, such as to harass, cause unnecessary delay, or needlessly increase the cost of litigation; (2) is supported by existing law or by a nonfrivolous argument for extending, modifying, or reversing existing law; (3) the factual contentions have evidentiary support or, if specifically so identified, will likely have evidentiary support after a reasonable opportunity for further investigation or discovery; and (4) the complaint otherwise complies with the requirements of Rule 11.

A. For Parties Without an Attorney

I agree to provide the Clerk's Office with any changes to my address where case-related papers may be served. I understand that my failure to keep a current address on file with the Clerk's Office may result in the dismissal of my case.

Date of signing:

08/04/23

Signature of Plaintiff

Printed Name of Plaintiff

Rosalind Kellum**B. For Attorneys**

Date of signing:

Signature of Attorney

Printed Name of Attorney

Bar Number

Name of Law Firm

Street Address

State and Zip Code

Telephone Number

E-mail Address

CIVIL COVER SHEET

The JS 44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. (SEE INSTRUCTIONS ON NEXT PAGE OF THIS FORM.)

I. (a) PLAINTIFFS

Rosalind Kellum, Donald Kellum II, Sarah Sublet
McClinton

(b) County of Residence of First Listed Plaintiff Sarpy
(EXCEPT IN U.S. PLAINTIFF CASES)

(c) Attorneys (Firm Name, Address, and Telephone Number)
Pro Se

DEFENDANTS

Sarpy Co. Police Dept, Lee Polikov Sarpy Co. District Atty,
Jim Pillen Gov., Sarpy Co. Sheriffs Dept., David Black.

County of Residence of First Listed Defendant Sarpy County
(IN U.S. PLAINTIFF CASES ONLY)

NOTE: IN LAND CONDEMNATION CASES, USE THE LOCATION OF
THE TRACT OF LAND INVOLVED.

Attorneys (If Known)

CLERK
U.S. DISTRICT COURT

II. BASIS OF JURISDICTION (Place an "X" in One Box Only)

- ☒ 1 U.S. Government Plaintiff
☐ 2 U.S. Government Defendant
☐ 3 Federal Question (U.S. Government Not a Party)
☐ 4 Diversity (Indicate Citizenship of Parties in Item III)

III. CITIZENSHIP OF PRINCIPAL PARTIES (Place an "X" in One Box for Plaintiff and One Box for Defendant)

- | | PTF | DEF | | PTF | DEF |
|---|---------------------------------------|----------------------------|---|----------------------------|----------------------------|
| Citizen of This State | <input checked="" type="checkbox"/> 1 | <input type="checkbox"/> 1 | Incorporated or Principal Place of Business In This State | <input type="checkbox"/> 4 | <input type="checkbox"/> 4 |
| Citizen of Another State | <input type="checkbox"/> 2 | <input type="checkbox"/> 2 | Incorporated and Principal Place of Business In Another State | <input type="checkbox"/> 5 | <input type="checkbox"/> 5 |
| Citizen or Subject of a Foreign Country | <input type="checkbox"/> 3 | <input type="checkbox"/> 3 | Foreign Nation | <input type="checkbox"/> 6 | <input type="checkbox"/> 6 |

IV. NATURE OF SUIT (Place an "X" in One Box Only)

Click here for: [Nature of Suit Code Descriptions.](#)

CONTRACT	TORTS	FORFEITURE/PENALTY	BANKRUPTCY	OTHER STATUTES
<input type="checkbox"/> 110 Insurance <input type="checkbox"/> 120 Marine <input type="checkbox"/> 130 Miller Act <input type="checkbox"/> 140 Negotiable Instrument <input type="checkbox"/> 150 Recovery of Overpayment & Enforcement of Judgment <input type="checkbox"/> 151 Medicare Act <input type="checkbox"/> 152 Recovery of Defaulted Student Loans (Excludes Veterans) <input type="checkbox"/> 153 Recovery of Overpayment of Veteran's Benefits <input type="checkbox"/> 160 Stockholders' Suits <input type="checkbox"/> 190 Other Contract <input type="checkbox"/> 195 Contract Product Liability <input type="checkbox"/> 196 Franchise	PERSONAL INJURY <input type="checkbox"/> 310 Airplane <input type="checkbox"/> 315 Airplane Product Liability <input type="checkbox"/> 320 Assault, Libel & Slander <input type="checkbox"/> 330 Federal Employers' Liability <input type="checkbox"/> 340 Marine <input type="checkbox"/> 345 Marine Product Liability <input type="checkbox"/> 350 Motor Vehicle <input type="checkbox"/> 355 Motor Vehicle Product Liability <input type="checkbox"/> 360 Other Personal Injury <input type="checkbox"/> 362 Personal Injury - Medical Malpractice	<input type="checkbox"/> 365 Personal Injury - Product Liability <input type="checkbox"/> 367 Health Care/Pharmaceutical Personal Injury Product Liability <input type="checkbox"/> 368 Asbestos Personal Injury Product Liability LABOR <input type="checkbox"/> 370 Other Fraud <input type="checkbox"/> 371 Truth in Lending <input type="checkbox"/> 380 Other Personal Property Damage <input type="checkbox"/> 385 Property Damage Product Liability	<input type="checkbox"/> 422 Appeal 28 USC 158 <input type="checkbox"/> 423 Withdrawal 28 USC 157 INTELLECTUAL PROPERTY RIGHTS <input type="checkbox"/> 820 Copyrights <input type="checkbox"/> 830 Patent <input type="checkbox"/> 835 Patent - Abbreviated New Drug Application <input type="checkbox"/> 840 Trademark <input type="checkbox"/> 880 Defend Trade Secrets Act of 2016 SOCIAL SECURITY <input type="checkbox"/> 861 HIA (1395ff) <input type="checkbox"/> 862 Black Lung (923) <input type="checkbox"/> 863 DIWC/DIWW (405(g)) <input type="checkbox"/> 864 SSID Title XVI <input type="checkbox"/> 865 RSI (405(g)) FEDERAL TAX SUITS <input type="checkbox"/> 870 Taxes (U.S. Plaintiff or Defendant) <input type="checkbox"/> 871 IRS—Third Party 26 USC 7609	<input type="checkbox"/> 375 False Claims Act <input type="checkbox"/> 376 Qui Tam (31 USC 3729(a)) <input type="checkbox"/> 400 State Reapportionment <input type="checkbox"/> 410 Antitrust <input type="checkbox"/> 430 Banks and Banking <input type="checkbox"/> 450 Commerce <input type="checkbox"/> 460 Deportation <input type="checkbox"/> 470 Racketeer Influenced and Corrupt Organizations (15 USC 1681 or 1692) <input type="checkbox"/> 485 Telephone Consumer Protection Act <input type="checkbox"/> 490 Cable/Sat TV <input type="checkbox"/> 850 Securities/Commodities/Exchange <input type="checkbox"/> 890 Other Statutory Actions <input type="checkbox"/> 891 Agricultural Acts <input type="checkbox"/> 893 Environmental Matters <input type="checkbox"/> 895 Freedom of Information Act <input type="checkbox"/> 896 Arbitration <input type="checkbox"/> 899 Administrative Procedure Act/Review or Appeal of Agency Decision <input checked="" type="checkbox"/> 950 Constitutionality of State Statutes
REAL PROPERTY <input type="checkbox"/> 210 Land Condemnation <input type="checkbox"/> 220 Foreclosure <input type="checkbox"/> 230 Rent Lease & Ejectment <input type="checkbox"/> 240 Torts to Land <input type="checkbox"/> 245 Tort Product Liability <input type="checkbox"/> 290 All Other Real Property	CIVIL RIGHTS <input checked="" type="checkbox"/> 440 Other Civil Rights <input type="checkbox"/> 441 Voting <input type="checkbox"/> 442 Employment <input type="checkbox"/> 443 Housing/Accommodations <input type="checkbox"/> 445 Amer. w/Disabilities - Employment <input type="checkbox"/> 446 Amer. w/Disabilities - Other <input type="checkbox"/> 448 Education	PRISONER PETITIONS Habeas Corpus: <input type="checkbox"/> 463 Alien Detainee <input type="checkbox"/> 510 Motions to Vacate Sentence <input type="checkbox"/> 530 General <input type="checkbox"/> 535 Death Penalty Other: <input type="checkbox"/> 540 Mandamus & Other <input type="checkbox"/> 550 Civil Rights <input type="checkbox"/> 555 Prison Condition <input type="checkbox"/> 560 Civil Detainee - Conditions of Confinement		

V. ORIGIN (Place an "X" in One Box Only)

- ☒ 1 Original Proceeding
☐ 2 Removed from State Court
☐ 3 Remanded from Appellate Court
☐ 4 Reinstated or Reopened
☐ 5 Transferred from Another District (specify)
☐ 6 Multidistrict Litigation - Transfer
☐ 8 Multidistrict Litigation - Direct File

VI. CAUSE OF ACTION

Cite the U.S. Civil Statute under which you are filing (Do not cite jurisdictional statutes unless diversity):

4th, 5th, 14th, 8th 9th Amendments, 18 USC 1001, Title 18 Section 242 Under color of Law, Section 1983 Acting under Color of Law, 42 USC 1983

Brief description of cause:

Officers said they had a Capital Murder Warrant to enter home without a search warrant and forced me to open door under duress at gun point.

VII. REQUESTED IN COMPLAINT:

☐ CHECK IF THIS IS A CLASS ACTION UNDER RULE 23, F.R.Cv.P.

DEMAND \$
\$1,500,000

CHECK YES only if demanded in complaint:

JURY DEMAND: ☐ Yes ☒ No

VIII. RELATED CASE(S) IF ANY

(See instructions):

JUDGE

DOCKET NUMBER

DATE

SIGNATURE OF ATTORNEY OF RECORD

FOR OFFICE USE ONLY

RECEIPT # _____ AMOUNT _____ APPLYING IFP _____ JUDGE _____ MAG. JUDGE _____

INSTRUCTIONS FOR ATTORNEYS COMPLETING CIVIL COVER SHEET FORM JS 44**Authority For Civil Cover Sheet**

The JS 44 civil cover sheet and the information contained herein neither replaces nor supplements the filings and service of pleading or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. Consequently, a civil cover sheet is submitted to the Clerk of Court for each civil complaint filed. The attorney filing a case should complete the form as follows:

- I.(a) Plaintiffs-Defendants.** Enter names (last, first, middle initial) of plaintiff and defendant. If the plaintiff or defendant is a government agency, use only the full name or standard abbreviations. If the plaintiff or defendant is an official within a government agency, identify first the agency and then the official, giving both name and title.
- (b) County of Residence.** For each civil case filed, except U.S. plaintiff cases, enter the name of the county where the first listed plaintiff resides at the time of filing. In U.S. plaintiff cases, enter the name of the county in which the first listed defendant resides at the time of filing. (NOTE: In land condemnation cases, the county of residence of the "defendant" is the location of the tract of land involved.)
- (c) Attorneys.** Enter the firm name, address, telephone number, and attorney of record. If there are several attorneys, list them on an attachment, noting in this section "(see attachment)".
- II. Jurisdiction.** The basis of jurisdiction is set forth under Rule 8(a), F.R.Cv.P., which requires that jurisdictions be shown in pleadings. Place an "X" in one of the boxes. If there is more than one basis of jurisdiction, precedence is given in the order shown below.
- United States plaintiff. (1) Jurisdiction based on 28 U.S.C. 1345 and 1348. Suits by agencies and officers of the United States are included here.
- United States defendant. (2) When the plaintiff is suing the United States, its officers or agencies, place an "X" in this box.
- Federal question. (3) This refers to suits under 28 U.S.C. 1331, where jurisdiction arises under the Constitution of the United States, an amendment to the Constitution, an act of Congress or a treaty of the United States. In cases where the U.S. is a party, the U.S. plaintiff or defendant code takes precedence, and box 1 or 2 should be marked.
- Diversity of citizenship. (4) This refers to suits under 28 U.S.C. 1332, where parties are citizens of different states. When Box 4 is checked, the citizenship of the different parties must be checked. (See Section III below; **NOTE: federal question actions take precedence over diversity cases.**)
- III. Residence (citizenship) of Principal Parties.** This section of the JS 44 is to be completed if diversity of citizenship was indicated above. Mark this section for each principal party.
- IV. Nature of Suit.** Place an "X" in the appropriate box. If there are multiple nature of suit codes associated with the case, pick the nature of suit code that is most applicable. Click here for: [Nature of Suit Code Descriptions](#).
- V. Origin.** Place an "X" in one of the seven boxes.
- Original Proceedings. (1) Cases which originate in the United States district courts.
- Removed from State Court. (2) Proceedings initiated in state courts may be removed to the district courts under Title 28 U.S.C., Section 1441.
- Remanded from Appellate Court. (3) Check this box for cases remanded to the district court for further action. Use the date of remand as the filing date.
- Reinstated or Reopened. (4) Check this box for cases reinstated or reopened in the district court. Use the reopening date as the filing date.
- Transferred from Another District. (5) For cases transferred under Title 28 U.S.C. Section 1404(a). Do not use this for within district transfers or multidistrict litigation transfers.
- Multidistrict Litigation – Transfer. (6) Check this box when a multidistrict case is transferred into the district under authority of Title 28 U.S.C. Section 1407.
- Multidistrict Litigation – Direct File. (8) Check this box when a multidistrict case is filed in the same district as the Master MDL docket.
- PLEASE NOTE THAT THERE IS NOT AN ORIGIN CODE 7.** Origin Code 7 was used for historical records and is no longer relevant due to changes in statute.
- VI. Cause of Action.** Report the civil statute directly related to the cause of action and give a brief description of the cause. **Do not cite jurisdictional statutes unless diversity.** Example: U.S. Civil Statute: 47 USC 553 Brief Description: Unauthorized reception of cable service.
- VII. Requested in Complaint.** Class Action. Place an "X" in this box if you are filing a class action under Rule 23, F.R.Cv.P.
- Demand. In this space enter the actual dollar amount being demanded or indicate other demand, such as a preliminary injunction.
- Jury Demand. Check the appropriate box to indicate whether or not a jury is being demanded.
- VIII. Related Cases.** This section of the JS 44 is used to reference related pending cases, if any. If there are related pending cases, insert the docket numbers and the corresponding judge names for such cases.

Date and Attorney Signature. Date and sign the civil cover sheet.